

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 05-05-03

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AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-2
ITEM DESCRIPTION: Annexation Petition #03-13 by Williams Family Partnership to annex approximately 38.70 acres of land located north of US Highway 52, and east of Menards South Subdivision (Menards South Store) and The 12 Seas Subdivision (Shopko South Store). The property is located in a part of the SW ¼ of the SW ¼ of Section 13 Rochester Township.		PREPARED BY: Theresa Fogarty, Planner

April 30, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on April 23, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services upon extension of sanitary sewer and water lines from their present ends. The Planning Commission therefore recommends approval of this request.

Ms. Petersson moved to recommend approval of Annexation Petition #03-13 by Williams Family Partnership as recommended by staff. Mr. Haeussinger seconded the motion. The motion carried 8-0.

Planning Department Recommendation:

See attached staff report, dated April 18, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2003 is \$50.57.

Council Action Needed:

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning. The ordinance shall also include that all land included in this annexation be zoned "I - Interim" upon annexation.

Attachments

1. Staff report, dated April 18, 2003.
2. Draft copy of the minutes of the April 23, 2003, CPZC meeting

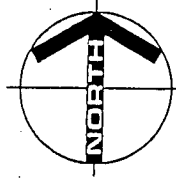
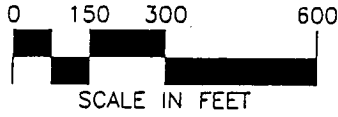
Distribution:

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, May 5, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. Yaggy Colby Associates

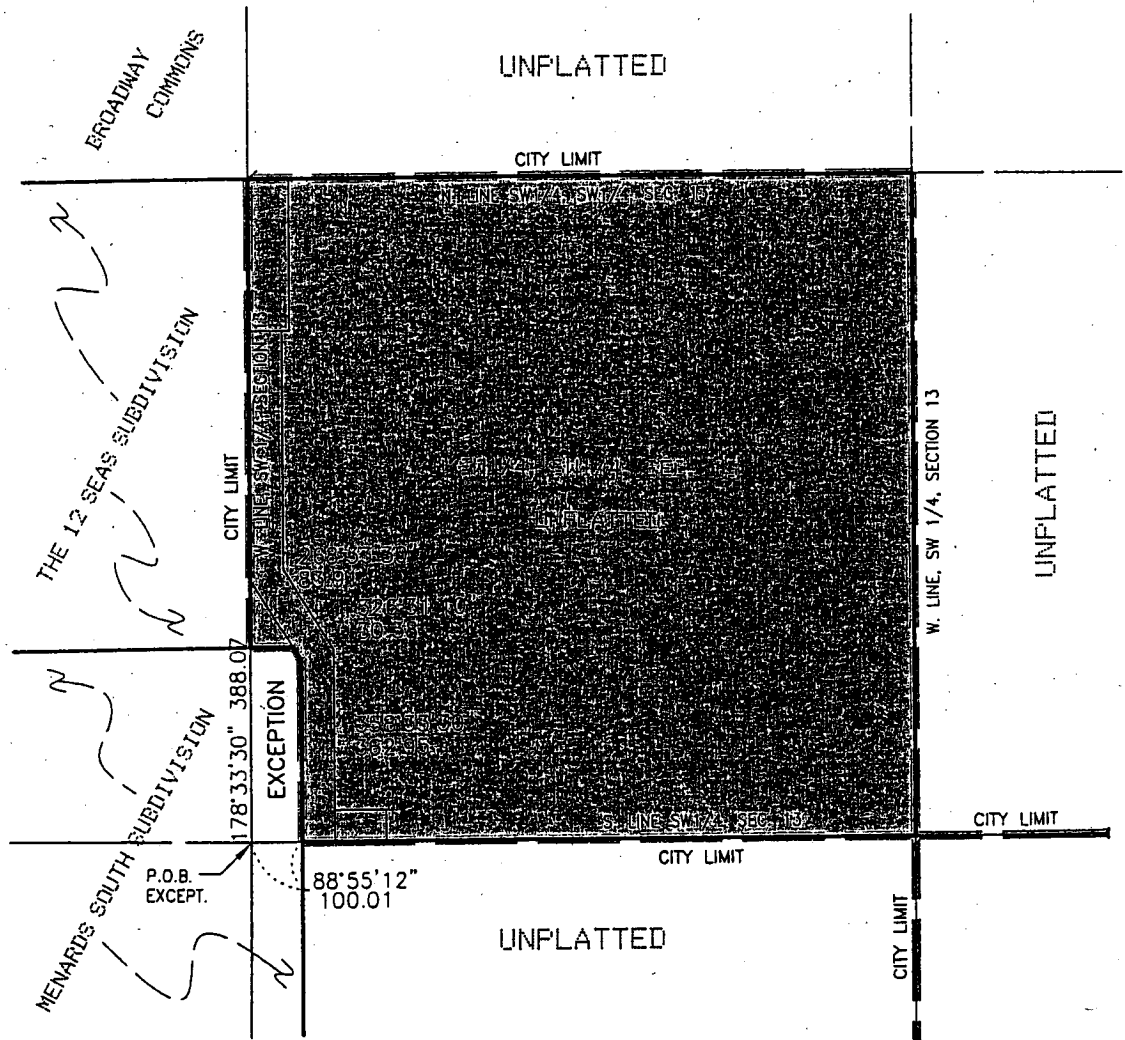
COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

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ANNEXATION PROPOSAL PART OF SW1/4, T11N, R14W SEC. 13, T106N, R14W OLMSTED COUNTY, MINNESOTA



BEARINGS
Bearings are Minnesota State
Plane Grid Azimuths measured
to the right from grid north.



LEGEND:

— CITY LIMITS

SHEET 1 OF 2

PROJECT NUMBER 8237
8237CERT01.DWG
DATE OF SURVEY 3/25/2003
DRAFTED BY P.G.O.
SURVEYED BY Y.C.A.
SURVEYED FOR _____

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR
REPORT WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT I AM A DULY
LICENSED LAND SURVEYOR UNDER THE LAWS
OF THE STATE OF MINNESOTA.

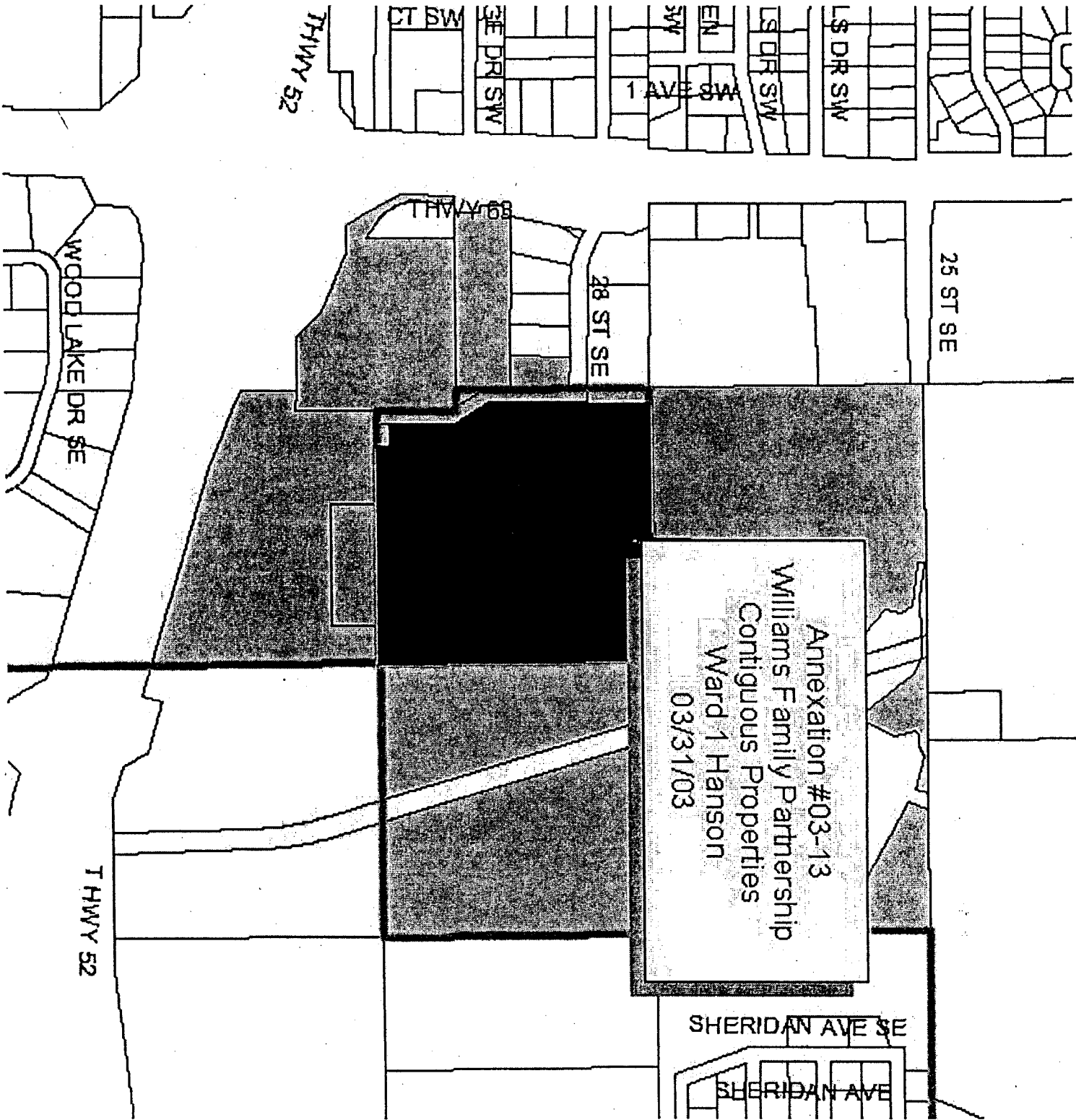
Peter Oetliker
PETER OETLIKER LICENSE EXPIRES 6/30/04

3/27/2003 41887
DATE NUMBER

ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS

717 THIRD AVE. S.E.
ROCHESTER, MN
507-288-6464
FAX: 507-288-5058
E-MAIL: INFO@YAGGY.COM





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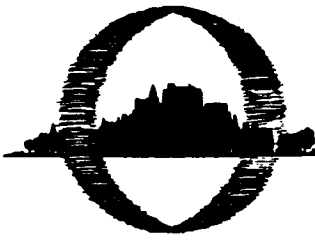
Draft Minutes of the City Planning & Zoning Commission
Date of Hearing: April 23, 2003

ANNEXATIONS:

Annexation Petition #03-13 by Williams Family Partnership to annex approximately 38.70 acres of land located north US Highway 52, and east of Menards South Subdivision (Menards South Store) and The 12 Seas Subdivision (Shopko South Store). The property is located in a part of the SW ¼ of the SW ¼ of Section 13 Rochester Township.

Mr. Brent Svenby presented the staff report, dated April 18, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Petersson moved to recommend approval of Annexation Petition #03-13 by Williams Family Partnership as recommended by staff. Mr. Haeussinger seconded the motion. The motion carried 8-0.



ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF
Olmsted



TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: April 18, 2003

RE: Annexation Petition #03-13 by Williams Family Partnership to annex approximately 38.70 acres of land located north of US Highway 52, and east of Menards South Subdivision (Menards South Store) and The 12 Seas Subdivision (Shopko South Store). The property is located in a part of the SW ¼ of the SW ¼ of Section 13 Rochester Township.

Planning Department Review:

Applicants/Owners:

Williams Family Partnership
41050 95th Street
Blue Earth, MN 56013

Menards
477 Menard Drive
Eau Claire, WI 54703

Architect/Engineer:

Yaggy Colby Associates
717 Third Avenue SE
Rochester, MN 55904

Existing Land Use:

This property is currently undeveloped land.

Existing Zoning:

The property is zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map.

Future Zoning:

The applicant is proposing to develop this property as commercial-industrial sites. It is recommended that this property be placed in the "I" Interim zoning district. The property owner will be petitioning for Commercial / Industrial zoning on the property at a later date.

Land Use Plan:

This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

Adjacency to the Municipal Limits:

The property is adjacent to the city limits along western, northern and southern boundaries.



Sewer & Water:

This area is within the Main Level Water System Area, which is currently available along the entire west side of the property.

Municipal sewer & water are currently available to serve this property.

Utilities:

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

Townboard Review:

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, May 5, 2003. The City Clerk has sent the certified 30 day notice.

Referral Comments:

No referral comments attached.

Report Attachments:

1. Annexation Map
2. Location Map

Staff Recommendation:

This property is adjacent to the City limits and can be served by city water services upon extension of the water lines from their present ends. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

The City Planning and Zoning Commission recommendation shall include the City Zoning Classification as "I" Interim upon annexation.